

ZELLE
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A LIMITED LIABILITY
PARTNERSHIP

Partners

- Joseph W. Bell
- Scott R. Campbell
- Daniel S. Mason
- Durwood J. Zaelke

Public Interest Litigation

Zelle Hofmann attorneys have represented individuals and organizations in numerous matters of significant public interest over the years. These matters have included, among others, cases involving public health and safety laws, the rights of disabled persons, human rights violations under U.S. and international law, as well as civil rights.

View case summaries of public interest matters.

Examples of Public Interest Cases

Bottled Water Litigation (Cal. Super. Ct., San Francisco Cty.). Zelle Hofmann attorneys represented a consumer suing on behalf of the general public in this consolidated action against a number of bottled water producers. The complaint alleged that the defendants sold to consumers certain bottled water products containing excessive levels of unhealthful contaminants, including arsenic, trihalomethanes and heterotrophic bacteria. The complaint asserted that the sale of those bottled water products was unlawful under California's bottled water quality laws, and that certain bottled water producers were deceptively marketing their products. Zelle Hofmann attorneys, along with their co-counsel, obtained consent judgments against all of the defendants.

Disability Rights Litigation (C.D. Cal. and Cal. Super Ct., Alameda Cty.). Zelle Hofmann attorneys represent people with mobility disabilities in two pending cases. In one action, four wheelchair users allege that two Southern California department stores of a major national chain violate the Americans with Disabilities Act and California disability access laws by failing to provide equal access to the merchandise. The action seeks injunctive relief and damages under California law. Zelle Hofmann also represents a disability rights organization in a private attorney general action against another major department store chain. The complaint, which seeks injunctive relief, alleges that the chain denies people with mobility disabilities equal access to the merchandise in its California stores in violation of California's Unfair Competition Law, Business and Professions Code section 17200 *et. seq.*

In re Austrian and German Bank Holocaust Litigation (S.D.N.Y.). A complex action against a number of German and Austrian banks. This action involved tort and international law claims on behalf of Holocaust survivors and their heirs. The claims alleged, among other things, that the German and Austrian banks were complicit in and profited from the seizure, looting and laundering of assets of persecutees of the Nazi regime during World War II. This and other related cases resulted in the establishment of a \$5 billion fund which is being used to compensate slave laborers and forced laborers during World War II, Holocaust survivors and their heirs, and other victims of Nazi persecution during World War II.

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- John B. Massopust
- Daniel J. Millea
- Timothy W. Regan
- Troy J. Seibert
- John C. Steele

Real Estate Litigation

Zelle Hofmann attorneys have extensive experience in complex real estate litigation in state and federal courts around the country, involving individual matters and class actions. Based on our research and analysis of decades of case law governing the property rights of individual landowners and corporations nationwide, we have extensive knowledge of substantive property rights and the procedural mechanisms available to enforce those rights. We have worked with a broad network of law firms, experts and consultants nationwide that have substantial experience concerning property rights, real estate valuation and industry procedures and practices. Our litigation experience includes individual suits and class actions related to ownership interests in railroad, pipeline, utility and highway rights of way and the use of such rights of way for the installation of fiber optic cable networks. We also have extensive litigation experience in property insurance coverage matters involving substantive property rights and valuations related to building leases, tenant improvements, rental values, financing and other contractual interests.

Representative Matters

Fiber Optic Right of Way - Nationwide class action litigation in which class members alleged trespass by telecommunication company defendants on class members' property via the construction of nationwide fiber optic networks, and sought hundreds of millions of dollars in damages

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- Wm. Gerald McElroy, Jr.
- Timothy W. Regan
- Stephen M. Rogers
- Patricia St. Peter
- Karl S. Vasiloff
- Richard L. Voelbel
- Brett A. Wallingford
- Lawrence Zelle

Reinsurance

Zelle Hofmann has deep experience in a myriad of subject matters related to reinsurance disputes. Zelle Hofmann attorneys have experience in reinsurance disputes relating to both broker and direct reinsurance markets. The firm has represented ceding companies, reinsurers, retrocessionaires, and reinsurance intermediaries. It has acted on behalf of clients in arbitration, litigation, and in connection with specific claim analysis involving treaty and facultative reinsurance. Zelle Hofmann attorneys have also acted as mediators and arbitrators in reinsurance disputes. Zelle Hofmann attorneys have arbitrated or litigated such issues as:

- Aggregate extension clauses
- Bad faith
- Cutoff
- Declaratory judgment expenses
- Follow the fortunes and settlements
- Fraud and collusion
- Late notice
- Offset
- Right to associate

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- Craig C. Corbitt
- Lawrence T. Hofmann
- Daniel S. Mason
- John C. Steele
- Richard L. Voelbel

Securities Litigation

Zelle Hofmann lawyers have broad experience in litigation matters arising out of the securities laws. We represent clients in matters ranging from class actions brought by private plaintiffs to enforcement actions brought by the Securities and Exchange Commission. We have extensive experience representing issuers, underwriters, accounting firms, financial institutions, securities firms, officers, directors, broker/dealers and outside professionals, including attorneys, accountants, and financial advisors. We regularly represent clients in state and federal court litigation, regulatory and investigative proceedings, and arbitrations throughout the country. Over the years we have achieved significant success for our clients through early dismissals of actions and summary judgments. We have also successfully tried numerous cases and arbitrations. Because our attorneys are skilled trial lawyers and prepare each case with an eye toward presenting the case before a judge or jury, we are often able to obtain favorable resolutions for our clients without actually having to go to trial.

Our clients come from all segments of the securities markets and our attorneys understand not only the law, but our clients' businesses as well. Zelle Hofmann attorneys have substantial experience defending companies and individuals in civil and criminal securities litigation and investigations initiated by the SEC, Department of Justice and the NASD. We frequently defend broker-dealers in securities arbitrations. We have successfully defended clients against claims of unauthorized trading, churning, unsuitability, failure to supervise, breach of fiduciary duty and fraud in cases involving stocks, bonds, options and derivative securities.

Zelle Hofmann also routinely represents clients in shareholder derivative suits and class actions. We are frequently called on to represent clients in disputes arising from the collapse of businesses, disputes growing out of joint ventures, distribution and licensing arrangements, contested acquisitions, and defaults in contractual performance.

Representative clients include: Citicorp Investment Services, HSBC, Merrill Lynch, Morgan Stanley, NFP Securities, Round Hill Securities, Smith Barney, and Wells Fargo.

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- Richard M. Hagstrom
- Daniel S. Mason
- Mitchell J. Rapp
- Durwood J. Zaelke

Trade Regulation

Zelle Hofmann attorneys have extensive experience in matters before numerous domestic and international regulatory agencies, including the Department of Justice, the Food and Drug Administration, the Federal Trade Commission, the International Trade Commission, the Interstate Commerce Commission, the National Association of Securities Dealers and the Securities Exchange Commission.